Affected sections of City Charter reflecting each previously approved proposed amendment:

The following edits in redline reflect each of the proposals discussed above:

If Amendment 1 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article II. – THE COUNCIL

§ 3. - REDISTRICTING.

(A) For purposes of this section, the following terms are defined:

(1) COMMISSION means the Independent Citizens Redistricting Commission.

(2) CONTROLLING PERSON means an officer, director, manager, principal, or shareholder or member owning at least 10% ownership of a legal entity.

(3) DAY means a calendar day, except that if the final day of a period within which an act is to be performed is a Saturday, Sunday, or holiday in which the City of Austin's offices are closed, the period is extended to the next day that is not a Saturday, Sunday, or holiday in which the City of Austin's offices are closed.

(4) PANEL means the Applicant Review Panel of three qualified, independent auditors that screens applicants for the commission.

(5) QUALIFIED INDEPENDENT AUDITOR means an auditor who is currently licensed by the Texas Board of Public Accountancy and has been a practicing independent auditor for at least five years prior to appointment to the Applicant Review Panel.

(6) SPOUSE means one's licensed marriage spouse, common law spouse, or recognized domestic partner.

(7) SUBSTANTIAL NEGLECT OF DUTY means that an individual has disregarded a manifest duty, prescribed by this section, intentionally, knowingly, or negligently. Missing half or more of the meetings in a three month period constitutes a substantial neglect of duty.

(8) INDEPENDENT means independent from the influence of city council and does not limit the commission receiving assistance as required from city staff.

(B) In 2013 and thereafter in each year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, the commission shall adjust the boundary lines of the 10 single-member districts in conformance with the standards and process set forth in this article. The commission shall be fully established no later than July 1, 2013, and thereafter no later than March 1 in each year ending in the number (1). The commission shall not draw district lines at any other time, except if the districts must be redrawn because of a judicial decision invalidating the then existing district plan, in whole or in part, redistricting is required due to annexations or disannexations completed by the City, or the date of the city election is moved. If the date of the city election is moved, then the dates in this article shall be adjusted to ensure the commission has sufficient time to draw the lines prior to the election date.

(D) The commission shall consist of 14 members.

(4) Each commission member shall apply this section in a manner that is impartial and that reinforces public confidence in the integrity of the redistricting process. A commission member shall be ineligible, for a period of 10 years beginning from the date of appointment, to hold elective public office for the City of Austin. A member of the commission shall be ineligible, for a period of three years beginning from the date of appointment, to hold appointive public office for the City of Austin, to serve as a paid [~~staff~~] full-time, part-time, or temporary City of Austin employee [~~for~~], or to serve as a paid consultant to the City of Austin, the city council or any member of the city council, or to receive a non-competitively bid contract with the City of Austin. This three year ban on having a paid consultancy or entering noncompetitively bid contracts applies to the member individually and all entities for which the member is a controlling person.

(G) By December 1, 2013, and thereafter by November 1 in each year ending in the number one, the commission shall adopt a final plan for the City of Austin specifically describing the district boundaries for each of the council districts prescribed above. No later than 30 days after the commission's [~~Upon~~]adoption of the final plan and at a public meeting of the city council, the commission shall certify the plan to the city council. The city council may not change the plan. The

plan shall have the force and effect of law and take effect at the time of its certification to the city council.

(1) The commission shall issue a report that explains the basis on which the commission made its decisions in achieving compliance with the criteria listed above and shall include definitions of the terms and standards used in drawing the final plan.

(2) If the commission does not adopt a final plan by the dates in this section, the city attorney for the City of Austin shall [~~immediately~~] petition state court for an order prescribing the boundary lines of the single-member districts in accordance with the redistricting criteria and requirements set forth in this section. The plan prescribed by the court shall be used for all subsequent city council elections until a final plan is adopted by the commission to replace it.

(I) Commission Selection Process.

(6) No later than May 1, 2013, and thereafter by January 15 in each year ending in the number one, the Applicant Review Panel shall select a pool of 75[~~60~~] applicants from among the qualified applicants. These persons shall be the most qualified applicants on the basis of relevant analytical skills, ability to be impartial, residency in various parts of the city, and appreciation for the City of Austin's diverse demographics and geography. The members of the Applicant Review Panel shall not communicate directly or indirectly with any elected member of the city council, or their representatives, about any matter related to the nomination process or any applicant prior to the presentation by the panel of the pool of recommended applicants to the city council.

(7) No later than May 2, 2013, and by January 16 in each year ending in the number one thereafter, the Applicant Review Panel shall submit its pool of 75[~~60~~] recommended applicants to the city council. Each member of the city council within five days in writing may strike up to one applicant from the pool of applicants. No reason need be given for a strike. Any applicant struck by any member of the city council must be removed from the pool of applicants. No later than May 8, 2013, and thereafter by January 22 in each year ending in one, the Applicant Review Panel shall submit the pool of remaining applicants to the City Auditor.

(J) Citizens Redistricting Commission Vacancy, Removal, Resignation, or Absence.

(1) In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, a member of the commission, having been served written notice and provided with an opportunity for a response, may be removed by a vote of 10 of the commissioners.

(2) Any vacancy, whether created by removal, resignation, or absence, in the 14 commission positions before the adoption of the final plan shall be filled by the commission within 15 days after the vacancy occurs, from the remaining pool of applicants and in compliance with the applicant requirements of subsection[~~division~~] 3(I)(8). Nine members must agree to any appointment.

(3) Any vacancy, whether created by removal, resignation, or absence, in the 14 commission positions after adoption of the final plan shall be filled by the commission at the next regular or special called meeting after the vacancy occurs, from the remaining pool of applicants and in compliance with the applicant requirements of subsection 3(I)(8). Nine members must agree to any appointment.

(K) The activities of the commission are subject to all of the following:

(1) the commission shall comply with all state and city requirements for open meetings.

(2) the records of the commission and all data considered by the commission are public records that will be made available in a manner that ensures immediate and widespread public access.

[~~(3) commission members and commission staff may not communicate with or receive communications about redistricting matters from anyone outside of a public hearing. This paragraph does not prohibit communication between commission members, commission staff (which shall exclude staff of any council members), legal counsel, and consultants retained by the commission that is otherwise permitted by state and city open meeting requirements.~~]

(3[~~4~~]) the commission shall select one of its members to serve as the chair and one to serve as vice chair. The chair and vice chair shall remain voting members of the commission.

(4[~~5~~]) in addition to using city staff, the commission shall hire its own commission staff, legal counsel, and consultants as needed; provided, however, that compensation of such persons shall be limited to the period in which the commission is active. The commission shall establish clear criteria for the hiring and removal of these individuals, communication protocols, and a code of conduct. The commission shall apply the conflicts of interest listed in subdivision 3(I)(3) to the hiring of staff, legal counsel, and consultants. The commission shall require that at least one of the legal counsel hired by the commission has demonstrated extensive experience and expertise in implementation and enforcement of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 and following). The commission shall make hiring, removal, or contracting decisions on staff, legal counsel, and consultants by nine or more affirmative votes.

(5[~~6~~]) notwithstanding any other provision of law, no employer shall discharge, threaten to discharge, intimidate, coerce, or retaliate against any employee by reason of such employee's membership on the commission or attendance or scheduled attendance at any meeting of the commission.

(6[~~7~~]) the commission shall establish and implement an open hearing process for public input and deliberation that shall be subject to public notice and promoted through an extensive outreach program to solicit broad public participation in the redistricting public review process. The hearing process shall begin with hearings to receive public input before the commission votes and approves a preliminary redistricting plan. In 2013, there shall be at least two such public hearings, before the commission votes on a preliminary plan, in each of the four Travis County Commissioner precincts, and in each year ending in the number one thereafter, there shall be at least one such public hearing, before the commission votes on a preliminary redistricting plan in each of the then existing 10 council districts. In addition, these hearings shall be supplemented with all other appropriate activities to further increase opportunities for the public to observe and participate in the review process.

Following the commission's vote approving the preliminary plan, there shall be at least four public hearings, geographically dispersed with at least one hearing in each of the four Travis County Commissioners' precincts and each hearing shall be held on a different date. The commission also shall display the approved preliminary plan for written public comment in a manner designed to achieve the widest public access reasonably possible. Written public comment shall be taken for at least 14 days from the date of

public display of the approved preliminary plan. The commission then shall vote on a proposed final plan and then it shall hold two subsequent public hearings, one north of Lady Bird Lake and one south of Lady Bird Lake and take at least five days of written public comments. The commission then shall be finished with all hearings and adopt a final plan by no later than December 1, 2013, and thereafter by November 1 in each year ending in the number one.

(7[~~8~~]) members of the commission shall not be compensated for their service. Members of the panel and the commission are eligible for reimbursement of reasonable and necessary personal expenses incurred in connection with the duties performed pursuant to this act.

(8[~~9~~]) the city council shall appropriate sufficient funds to meet the operational cost of the commission and the cost of any outreach program to solicit broad public participation in the redistricting process.

(9[~~10~~]) the commission shall remain inactive except when necessary to comply with its duties under this ordinance and the Charter of the City of Austin, including any redistricting required when areas are newly annexed to the city or disannexed from the city.

If Amendment 2 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article II. – THE COUNCIL

§ 12. - MEETINGS OF THE COUNCIL.

The council shall meet in regular session at the City Hall [~~at least once each week~~] at such time as may be prescribed by ordinance [~~unless otherwise ordered by the council for reasons to be documented in the minutes~~]. Special meetings of the council shall be called by the city clerk upon written request of the mayor or two members of the council. All meetings shall be open to the public except as may be authorized by the laws of the State of Texas.

If Amendment 3 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article II. – THE COUNCIL

§ 13. - RULES OF PROCEDURE.

The council shall [~~by ordinance~~] determine its own rules and order of business. A majority of the whole council shall constitute a quorum, and no action of the council shall be of any force or effect unless it is adopted by the favorable votes of a majority of the whole council. Minutes of all meetings of the council shall be taken and recorded, and such minutes shall constitute a public record.

If Amendment 4 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article III. - ELECTIONS

§ 8. - LIMITS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

(A) Limits On Contributions To Candidates.

(1) No candidate for mayor or city council and his or her campaign committee shall accept campaign contributions in excess of $300 per contributor per general, runoff, or special election from any person, except for the candidate and small-donor political committees. The amount of the contribution limit shall be modified each year by January first or as otherwise provided by state law [~~with the adoption of the budget~~] to increase or decrease in accordance with the most recently published federal government Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest $50.00.

(2) Each candidate may authorize, establish, administer, or control only one campaign committee at one time.

(3) No candidate and his or her committee shall accept an aggregate contribution total of more than $30,000.00 per general or special election and $20,000.00 in the case of a runoff election, from sources other than natural persons eligible to vote in a postal zip code completely or partially within the Austin city limits. The amount of the contribution limit shall be modified each year by January first or as otherwise provided in state law [~~with the adoption of the budget~~]to increase or decrease in accordance with the most recently published federal government Bureau of Labor Statistics Indicator, Consumer Price Index (CPI-W U.S. City Average) U.S. City Average. The most recently published Consumer Price Index on May 13, 2006, shall be used as a base of 100 and the adjustment thereafter will be to the nearest $1,000.00.

(B) Small-Donor Political Committees.

(1) A small-donor political committee is a political committee which has accepted no more than $25.00 from any contributor during any calendar year, has had at least 100 contributors during either the current or previous calendar year, has been in existence for at least six months, and has never been controlled by a candidate.

(2) Such a committee shall not contribute more than $1,000.00 per candidate per general, runoff, or special election for the offices of mayor and city council.

If Amendment 5 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article IV. – INITIATIVE, REFERENDUM, AND RECALL

§ 4. - COUNCIL CONSIDERATION AND SUBMISSION TO VOTERS.

(A) When the council receives an authorized initiative petition certified by the city clerk to be sufficient, the council shall either:

(1) [~~(a)~~] Pass the initiated ordinance without amendment within 10 days after the date of the certification to the council; or

(2) [~~(b)~~] Order an election and submit said initiated ordinance without amendment to a vote of the qualified voters of the city at the city's next November election date that occurs in an even-numbered year and that allows sufficient time to comply with other requirements of law [~~a regular or special election to be held on the next allowable election date authorized by state law after the certification to the council~~].

(B) When the council receives an authorized referendum petition certified by the city clerk to be sufficient, the council shall reconsider the referred ordinance, and if upon such reconsideration such ordinance is not repealed, it shall be submitted to the voters at a regular or special election to be held on the next allowable election date authorized by state law after the date of the certification to the council.

(C) When the council receives an authorized charter amendment petition certified by the city clerk to be sufficient, the council shall submit said proposed charter amendment to a vote of the qualified voters of the city at the city's next November election date that occurs in an even-numbered year and that allows sufficient time to comply with other requirements of law.

(D) Special elections on initiated or referred ordinances shall not be held more frequently than once each six months, and no ordinance on the same subject as an initiated ordinance which has been defeated at any election may be initiated by the voters within two years from the date of such election.

If Amendment 6 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article IV. – INITIATIVE, REFERENDUM, AND RECALL

§ 6. - POWER OF RECALL

The people of the city reserve the power to recall any member of the council and may exercise such power by filing with the city clerk a petition, with valid signatures of [~~signed by~~]qualified voters of the territory from which the council member is elected equal in number to at least 15[~~10~~] percent of the qualified voters of the territory from which a district[~~the~~]council member is elected, or 10 percent of the qualified voters in the City of Austin in order to recall the mayor, demanding the removal of a council member. The petition shall be signed and verified in the manner required for an initiative petition, shall contain a general statement of the grounds for which the removal is sought, and one of the circulators [~~signers~~] of each petition paper shall make an affidavit that the statements therein made are true.

If Amendment 7 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article V. – ADMINISTRATIVE ORGANIZATION

§ 6. – CITY ATTORNEY

There shall be a department of law, the head of which shall be the city attorney, who shall be appointed by the city council [~~manager~~]. The city attorney shall be a competent attorney who shall have practiced law in the State of Texas for at least five years immediately preceding his or her appointment. The city attorney shall be the legal advisor of, and attorney for, all of the officers and departments of the city, and he or she shall represent the city in all litigation and legal proceedings. He or she shall draft, approve, or file his or her written legal objections to every ordinance before it is acted upon by the council, and he or she shall pass upon all documents, contracts and legal instruments in which the city may have an interest. The city attorney may be removed at the will and pleasure of the council by a majority vote of the entire membership of the council.

If Amendment 8 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article VI. – MUNICIPAL COURT

§ 2. - JUDGE OF THE MUNICIPAL COURT

If any judge of a municipal court announces candidacy, or in fact becomes a candidate, in any general, special, or primary election, for any elective public office, at a time when the unexpired term of the judge's office exceeds one year and 30 days, the judge's announcement or candidacy is an automatic resignation of the office of municipal judge.

If Amendment 9 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article VII. - FINANCE

§ 2.- DIRECTOR OF FINANCE — POWERS AND DUTIES.

The director of finance shall administer all financial affairs of the city, other than the assessment and collection of taxes assigned by state law or city ordinance to be administered by other governmental entities, including the state comptroller and county assessor-collectors. He or she shall have authority and be required to:

(1) Maintain a general accounting system for the city government and exercise financial control over all offices, departments, and agencies thereof;

(2) Certify as to the availability of funds for all proposed expenditures. Unless the Director of Finance shall certify that there is an unencumbered balance in the appropriation and funds available, no appropriation shall be encumbered, and no expenditure shall be made;

(3) Submit to the council, through the city manager, a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the city;

(4) Prepare, as of the end of the fiscal year, a complete financial statement and report.

§ 4. – [~~INTERIM BUDGET.~~] REPEALED

[~~The city manager shall submit to the council an interim budget which shall be prepared, as nearly as practicable, in accordance with the requirements for the budget document herein prescribed, for the interim fiscal period hereinabove established. Following the approval of such interim budget, the council shall enact such appropriation and other ordinances as may be necessary for the effectuation of such interim budget.~~]

§ 6. - BUDGET PREPARATION AND ADOPTION.

At least 30 days prior to the beginning of each budget year, the city manager shall submit to the council a proposed budget in the form required by this Charter. [~~At the meeting of the council at which the budget is submitted, t~~] T̲h̲e council shall s̲c̲h̲e̲d̲u̲l̲e̲ [~~order~~] a public hearing on the budget and shall cause to be published[~~, at least 10 days prior to~~] the date [~~of such hearing~~], [~~the~~] time, and place thereof in the form and manner required by applicable state law. At the published time and place [~~so advertised~~] the council shall hold a public hearing on the budget in the manner required by applicable state law [~~as submitted~~], at which all interested persons shall be given an opportunity to be heard. The budget shall be finally adopted not later than the twenty-seventh day of the last month of the fiscal year. Upon final adoption the budget shall be in effect for the budget year, and copies thereof shall be filed with the city clerk and any other entity with which the city is required to file a copy of the budget by applicable state law[~~, the county clerk of Travis County, and the state comptroller of public accounts~~]. The final budget shall be [~~reproduced and sufficient copies shall be~~]made available electronically on a public facing website of the city for use of all offices, departments, and agencies of the city, and for the use of interested persons.

§ 7. - [~~WORK PROGRAMS AND ALLOTMENTS~~].REPEALED

[~~At the beginning of each fiscal year the head of each department or agency of the city government, upon the direction of the city manager, shall submit to the department of finance a work program for the year. Said work program shall include all appropriations for operation, maintenance, and capital outlays and shall indicate the requested allotments of such appropriations by months for the entire fiscal year. The city manager shall review the requested allotments, and, after such alteration or revision as he may deem necessary, authorize such for expenditure. Thereafter the department of finance shall authorize all expenditures for departments and agencies to be made from the appropriations on the basis of the approved allotments and not otherwise. The approved allotments may be revised during the fiscal year by the city manager, or upon application by the head of any department or agency and approval by the city manager, but in no~~

~~event shall the aggregate of departmental or agency allotments exceed the appropriation available to such departments or agencies for the fiscal year. If, at any time during the fiscal year, the city manager shall ascertain that available revenues will be less than total appropriations for the year, he or she shall reconsider the work program and allotments of the departments and agencies and revise them so as to prevent the making of expenditures in excess of available revenues.~~]

§ 8. - APPROPRIATIONS.

No funds of the city shall be expended nor shall any obligation for the expenditure of money be incurred, except in pursuance of the annual [~~or interim period~~] appropriation ordinance provided by this Charter. If, at any time during the fiscal year, the city manager ascertains that available revenues will be less than total appropriations for the year, the city manager shall reconsider the appropriations of the departments and agencies and revise them to prevent the making of expenditures in excess of available revenues. At the close of each fiscal year any unencumbered balance of an appropriation shall revert to the fund from which appropriated and may be reappropriated by the city council. The council may transfer any unencumbered appropriation balance or portion thereof from one office, department, or agency to another. The city manager shall have authority, without council approval, to transfer appropriation balances from one expenditure account to another within a single office, department, or agency of the city.

§ 16. - INDEPENDENT AUDIT.

At the close of each fiscal year, and at such other times as may be deemed necessary, the council shall cause an independent audit to be made of all accounts of the city by a certified public accountant. The certified public accountant so selected shall have no personal interest, directly or indirectly, in the financial affairs of the city or any of its officers. Upon completion of the audit, the audited financial report [~~results thereof~~] shall be published [~~immediately in a newspaper in the city of Austin~~] on a public facing website of the city and shall be filed with the city clerk as a public record in accordance with state law [~~and copies placed on file in the city hall as a public record~~].

If Amendment 10 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article IX. – PERSONNEL

§ 1. - CLASSIFIED CIVIL SERVICE.

(B) There is hereby established a classified civil service in which all employment and promotions shall be made on the basis of merit and fitness. The civil service shall include all appointive offices and employments in the administrative service and in other agencies and offices of the city, except the following:

(1) members of the city council and their direct staff;

(2) persons who are appointed or elected by the city council pursuant to this Charter;

(3) the city manager and assistant city managers;

(4) department directors and assistant department directors;

(5) the city attorney and all assistant city attorneys;

(6) appointees or employees of the city auditor's office;

(7[~~6~~]) temporary and seasonal employees; and

(8[~~7~~]) employees covered by a state civil service statute.

If Amendment 11 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

ARTICLE I. - INCORPORATION, FORM OF GOVERNMENT, POWERS.

§ 5. - STREET DEVELOPMENT AND IMPROVEMENT.

As an alternate and cumulative method of developing, improving, and paving any and all public streets, sidewalks, alleys, highways, and other public ways within the corporate limits, the city shall have the power and authority to proceed in accordance with state law[~~Chapter 106, page 489, Acts 1927, Fortieth Legislature, First Called Session~~], as now or hereafter amended, to adopt plans and specifications pursuant thereto; to pay to the contractor, the successful bidder, in cash, that part of the cost which may be assessed against the abutting property and the owners thereof; to reimburse itself for the amount paid such contractor by levying assessments against the abutting property and the owners thereof, after the hearing and notice prescribed in the aforesaid statutes, in an amount permitted by said statutes and not in excess of the enhancement in value of such property occasioned by the improvements; and to issue assignable certificates in favor of the city for such assessments, said certificates to be enforceable in the manner

prescribed by the aforesaid statutes. The city shall likewise have the power to make any such development, improvement or paving with its own forces if, in the opinion of the council, the work can be done more expeditiously or economically, and in such event the city shall have the power to reimburse itself for the cost of such improvement in the same amount and in the same manner as if the work had been performed by a successful bidding contractor.

§ 6. - ANNEXATION FOR ALL PURPOSES.

The city council shall have the power by ordinance to fix the boundary limits of the City of Austin; and to provide for the alteration, reduction, and the extension of said boundary limits, and the annexation of additional territory lying adjacent to the city[~~, with or without the consent of the territory and inhabitants annexed~~]. Before the city may institute annexation or disannexation proceedings, the city council shall provide an opportunity for all interested persons to be heard at a public hearing. [~~Prior notice of such hearings shall be published in accordance with state law in a newspaper having general circulation in the city and in the territory proposed to be annexed.~~] Upon the final passage of any such ordinance, the boundary limits of the city shall thereafter be fixed in such ordinance; and when any additional territory has been so annexed, same shall be a part of the City of Austin, and the property situated therein shall bear its pro rata part of the taxes levied by the city, and the inhabitants thereof shall be entitled to all rights and privileges of all the citizens, and shall be bound by the acts, ordinances, resolutions, and regulations of the city.

§ 7. - LIMITED PURPOSE ANNEXATION.

In addition to the power to annex additional territory for all purposes, the city shall have the power, by ordinance, to fix, alter, and extend the corporate boundary limits of the city for the limited purposes of planning, zoning, health, and safety and to annex for such limited purposes additional territory lying adjacent to the city[~~, with or without the consent of the property owners or inhabitants of such annexed territory~~]; provided, however, that no such territory which lies farther than five miles from the corporate boundary limits enclosing the territory which is a part of the city for all purposes, as those corporate boundary limits are now or may hereafter be established shall be annexed for any limited purpose or purposes. Whenever the boundary limits annexed for such limited purposes are not coterminous with the corporate boundary limits enclosing the territory which a part of the city for all purposes, such boundary limits of the limited purpose territory shall be known as "Limited Purpose Boundary Limits."[~~ Every ordinance by which territory is to be annexed to the city for limited purposes shall state clearly the~~

~~limited purpose or purposes for which it is being annexed, and shall be published one time, in a newspaper of general circulation in the city and in the form in which it is to be finally adopted, not less than 30 days prior to its final passage.~~]

ARTICLE II. - THE COUNCIL.

§ 6. - VACANCIES.

Where a vacancy in any place on the council shall occur, the vacant place shall be filled by a special election, and, where necessary, by a run-off election, in the same manner as provided in this Charter for the regular election of a council member. Such special election shall be held in accordance with state law [~~on the next available state uniform election date following the creation of the vacancy~~], and, where necessary, the run-off election shall be held according to state law following the preceding election; provided, however, that where a vacancy shall occur within 90 days of a regular election, no special election to fill the vacancy shall be called, unless more than one vacancy occurs.

ARTICLE III. - ELECTIONS

§ 4. - FILING OF CANDIDATES.

Any qualified person who desires to become a candidate for election to a place on the council shall file with the city clerk[~~, at least 45 days prior to the election day,~~] an application for his or her name to appear on the ballot in accordance with state law. Such application shall be accompanied by a filing fee of $500.00 or a petition in lieu of a filing fee. [~~Such filing fee may be reduced by $1.00 per signature for each registered voter who signs a petition requesting that the name of the candidate be placed on the ballot, if such petition is sufficient to satisfy statutory requirements.~~]In case of a district position, the petition shall be signed by registered voters residing in the particular district. Such application shall clearly designate by number the place on the council to which the candidate seeks election and shall contain a sworn statement by the candidate that he or she is fully qualified under the laws of Texas and the provisions of this Charter to hold the office he or she seeks.

§ 5. - BALLOTS.

For every regular election and for every special election called to fill one or more vacant places on the council, the city clerk shall place upon the official ballot the name of every candidate who shall file an application which complies with the provisions of this Charter. The council places to be filled shall be placed on the

ballot in numerical order. The name of each candidate shall be placed on the ballot under the designated place for which he or she shall have filed, and in such manner that the names of the candidates for each place shall be clearly separate and distinguishable from the names of the candidates for every other council place. For a general election or a special election called to fill one or more vacant places on the council, [~~T~~]the order on the ballot of the names of the candidates for each respective council place shall be determined by lot in a drawing to be held under the supervision of the city clerk, at which drawing each candidate or his or her named representative shall have a right to be present.

§ 8. - LIMITS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

(F) [~~Time Restrictions On Candidate~~]Fundraising; Officeholder Accounts.

(1) In this section terms have the same meaning as they have in Title 15 of the Texas Election Code. The term "officeholder account" means an account in which funds described by subsection (F)(2[4]) must be kept. "Officeholder" means the mayor or a council member.

[~~(2) An officeholder, a candidate for mayor or city council, or an officeholder's or candidate's committee may not solicit or accept a political contribution except during the last 180 days before an election for mayor or council member or in which an officeholder faces recall.~~

~~(3) Except as provided by subsection (F)(6), no later than the 90th day after an election, or if a candidate is in a runoff election no later than the 90th day after the runoff, a candidate or officeholder shall distribute the balance of funds received from political contributions in excess of any remaining expenses for the election:~~

~~(a) to the candidate's or officeholder's contributors on a reasonable basis,~~

~~(b) to a charitable organization, or~~

~~(c) to the Austin Fair Campaign Fund.~~]

(2[4]) An unsuccessful candidate who, after an election, has unpaid expenses remaining, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, may solicit and accept political contributions after the election until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed.

(3[~~5~~]) An officeholder who, after an election, has unpaid expenses remaining, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, may solicit and accept political contributions after leaving office until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed. An officeholder may also pay the unpaid expenses and reimburse the unreimbursed expenditures from political contributions received during a subsequent campaign.

(4[~~6~~]) An officeholder may retain up to $20,000.00 of funds received from political contributions for the purposes of officeholder expenditures.

(5[~~7~~]) An officeholder shall keep funds retained under subsection (F)([~~6~~]4) in an account separate from any other funds including personal funds of the officeholder and any other political funds of the officeholder. The funds kept in an officeholder account may be used only for officeholder expenditures. The funds kept in an officeholder account may not be used for campaign expenditures. The funds kept in an officeholder account may not exceed $20,000.00 at any time.

(6[~~8~~]) When an officeholder leaves the council, the funds remaining in an officeholder account must be paid to the Austin Fair Campaign Fund.

ARTICLE IV. - INITIATIVE, REFERENDUM, AND RECALL.

§ 5. - BALLOT FORM AND RESULTS OF ELECTION.

The ballot used in voting upon an initiated or referred ordinance shall state the caption of the ordinance and below the caption shall set forth on separate lines the words, "For the Ordinance" and "Against the Ordinance," or other language and placement as permitted by the Texas Election Code.

Any number of ordinances may be voted on at the same election in accordance with the provisions of this article. If a majority of the votes cast is in favor of a submitted ordinance, it shall thereupon be effective as an ordinance of the city. An ordinance so adopted may be repealed or amended at any time after the expiration of two years by favorable vote of at least three-fourths of the council. A referred ordinance which is not approved by a majority of the votes cast shall be deemed thereupon repealed.

§ 8. - RECALL BALLOT.

Ballots used at recall elections shall conform to the following requirements:

(1) With respect to each person whose removal is sought, the question shall be submitted "Shall (name of council member) be removed from the office of city council member?"

(2) Immediately below each such question there shall be printed the two following propositions, one above the other, in the order indicated:

"For the recall of (name of council member)."

"Against the recall of (name of council member)."

(3) Other language and placement may be used as permitted by the Texas Election Code.

ARTICLE VII.- FINANCE.

§ 3. - FISCAL YEAR.

The[~~fiscal year of the city which began on January 1, 1953, shall end on December 31, 1953. The next succeeding fiscal year shall begin on January 1, 1954, and end on September 30, 1954, and shall constitute an interim fiscal period. After September 30, 1954, the~~] fiscal year of the city shall begin on the first day of October and end on the last day of September of each calendar year. The fiscal year established by this section shall also constitute the budget and accounting year. As used herein, the term "budget year" shall mean the fiscal year for which any budget is adopted and in which it is administered. [~~All funds collected by the city during any fiscal year, including both current and delinquent revenues, shall belong to such fiscal year and, except for funds derived to pay interest and create a sinking fund on the bonded indebtedness of the city, shall be applied to the payment of expenses incurred during such fiscal year. Any revenues uncollected at the end of any fiscal year shall become resources of the next succeeding fiscal year.~~]

§ 5. - THE BUDGET DOCUMENT.

The budget for the city government shall present a complete financial plan for the ensuing fiscal year, and shall consist of[~~three parts as follows~~]:

[~~Part I shall contain:~~]

(1) A budget message, prepared by the city manager, which shall outline his or her proposed fiscal plan for the city and describe significant features of the budget for the forthcoming fiscal period;

(2) A general budget summary which, with supporting schedules, will show the relationship between total proposed expenditures and total anticipated revenues for the forthcoming fiscal period and which shall compare these figures with corresponding figures for the last completed fiscal year and the year in progress[~~.~~];

[~~Part II shall contain:~~](3[~~1~~])Detailed estimates of all proposed expenditures, showing the corresponding expenditures for each item for the current fiscal year and the last preceding fiscal year with explanations of increases or decreases recommended;

(4[~~2~~]) Detailed estimates of anticipated revenues and other income;

(5[~~3~~]) Delinquent taxes for current and preceding years, with the estimated percentage collectible; and

(6[~~4~~]) Statement of the indebtedness of the city, showing debt redemption and interest requirements, debt authorized and unissued, and conditions of the sinking funds.

(7)[~~Part III shall contain a~~] A proposed complete draft of the appropriation ordinance, the tax levying ordinance, and any other ordinances required to effectuate the budget.

§ 9. - DEPOSITORIES.

All monies received by any person, department, or agency of the city for or in connection with affairs of the city shall be deposited promptly in city depositories, which shall be designated by the council in accordance with state law[~~such regulations~~] and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All checks, vouchers, or warrants for the withdrawal of money from the city depositories shall be signed by the director of finance or his or her deputy and countersigned by the city manager.

§ 11. - REVENUE BONDS.

The city shall have power to borrow money for the purpose of acquiring, constructing, [~~purchasing,~~] improving, extending, or repairing of public utilities,

and for any other public purpose authorized by state law, provided such bonds shall be [~~recreational facilities or facilities for any other self liquidating municipal function not now or hereafter prohibited by any general law of the state, and to issue revenue bonds to evidence the obligation created thereby. Such bonds shall be a charge upon and~~]payable solely from designated sources, [~~the~~]properties, or interest therein, acquired and the income therefrom, and shall never be a debt of the city. [~~All revenue bonds issued by the city shall first be authorized by a majority of the qualified electors voting at an election held for such purpose.~~] The council shall have authority to provide for the terms and form of any purchase agreement, contract, mortgage, bond or document desired or necessary for the issuance of revenue bonds and the acquisition and operation of any such property or interest.

§ 14. - SINKING FUND.

It shall be the duty of the council to levy an annual tax sufficient to pay the interest on and provide the necessary sinking fund required by law on all outstanding general obligation bonds of the city. The interest and sinking fund shall be deposited in a separate account and shall not be diverted to or used for any other purpose than to pay the interest and principal on such bonds. The sinking fund maintained for the redemption of any debt may be invested in accordance with state law[~~any interest bearing bonds of the United States government, the State of Texas, the County of Travis, or the City of Austin~~].

ARTICLE VIII. - TAXATION.

§ 1. - TAXES — ARREARS OF OFFSET TO DEBT AGAINST CITY.

No money shall be paid by the city upon any claim, debt, demand or account whatsoever to any person, firm or corporation who is in arrears to the City of Austin for taxes; and the city shall be entitled to counter-claim and offset against any such debt, claim, demand or account in the amount of taxes so in arrears, and no assignment or transfer of such debt, claim, [~~claim,~~]demand or account after the said taxes are due, shall affect the right of the city to so offset the said taxes against the same.

ARTICLE IX. - PERSONNEL.

§ 1. - CLASSIFIED CIVIL SERVICE.

(A) To the extent of any conflict with other provisions of this Charter, this article controls. [~~If another ballot proposition amending the previous Section 1 of this~~

~~article is approved by the voters at the same election at which this section is adopted, this section supersedes and replaces the other amendment to Section 1, but does not supersede or replace other amendments to this article that were part of the other proposition.~~]

§ 5. - EMPLOYEES' RETIREMENT SYSTEM.

There shall be one or more[~~a~~] retirement systems for [~~the~~]employees of the city established in accordance with state law[~~which shall be known as the employees' retirement system of the City of Austin. After the first six months of employment, all municipal employees except the mayor, members of the council, members of boards and commissions, employees of the fire department, and part-time or temporary employees, shall become members of such system. Such system shall be governed by a board of directors composed of such members and selected in such a manner as may be provided by ordinance of the council, provided that classified employees shall have representation on the board. Such system shall be financed by a retirement fund created by contributions of the members and of the city, and the contributions by the city shall always be equal to or greater than the contributions of the members~~]. The benefits payable to any member upon retirement shall be based upon the amount of contributions made on behalf of such member[~~, and shall be determined on an actuarial basis~~]. Upon separation of any member from the service of the city before retirement, such member shall be entitled to receive only the amount of his or her contributions to the fund and interest thereon.

[~~Establishment of the employees' retirement system shall not preclude the council from merging such system with, or adopting, any voluntary statewide or national retirement system where the general benefits of such merger or change are at least equal to those under the employees' retirement system. The council shall likewise not be precluded from consolidating any retirement system maintained by employees of the fire department with the employees' retirement system of the City of Austin under terms agreeable to both systems.~~]

ARTICLE X. - PLANNING.

§ 2. - THE PLANNING COMMISSION — ORGANIZATION.

There shall be established a planning commission which shall consist of citizens of the City of Austin who must be registered voters in the city and must have resided within the city for one year [~~next~~]preceding their appointment. The planning commission shall have a number of members equal to the number of

members on the council plus two additional members, a minimum of two-thirds of the members who shall be lay members not directly or indirectly connected with real estate and land development. The city manager, the chairperson of the zoning board of adjustment, the director of public works, or successor department, and the president of the board of trustees of the Austin Independent School District shall serve as ex officio members. The members of said commission shall be appointed by the council for a term of up to two years. The timing of appointments, as well as a process for removing commissioners prior to expiration of a term, shall be established by ordinance. The commission shall elect a chairperson from among its membership and shall meet not less than once each month. Vacancies in an unexpired term shall be filled by the council for the remainder of the term.

If Amendment 12 is approved by the majority of voters voting at the election, the City Charter is amended to read as follows:

Article III. ELECTIONS.

§ 8. - LIMITS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

(F) [~~Time Restrictions On Candidate~~]Fundraising; Officeholder Accounts.

(5) An officeholder who, after an election, has unpaid expenses remaining, or who has unreimbursed campaign expenditures from personal funds that were made with the intent to seek reimbursement from political contributions, may solicit and accept political contributions [~~after leaving office~~] until the unpaid expenses are paid and the unreimbursed expenditures are reimbursed. An officeholder may also pay the unpaid expenses and reimburse the unreimbursed expenditures from political contributions received during a subsequent campaign.